

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK-----X
DEJUAN BERRY

Petitioner,

08 CIV. 6557 (LBS)

-against-

WILLIAM HULIHAN

ORDER

Respondent.

-----X

SAND, J.

Dejan Berry has petitioned this Court for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. In accordance with Rule 4 of the Rules Governing Section 2254 Cases in the United States District Courts, 28 U.S.C. following § 2254, I have considered the petition preliminarily and have concluded that it raises issues that require a response. I therefore direct that Respondent file an Answer within forty (40) days of the date of this Order. I hereby direct the Clerk's Office to serve a copy of this Order and the underlying petition on Andrew M. Cuomo the Attorney General for the State of New York.

Petitioner is hereby granted fourteen (14) days from the date on which he is served with Respondent's Answer to file a response. The petition will be considered fully submitted as of that date.

SO ORDERED.

Dated: New York, New York

8/26/08


U.S.D.J.

[COPIES MAILED TO PETITIONER]

8/26/08